

REMARKS

In the final Office Action mailed June 18, 2008¹, the Examiner objected to claim 24, and rejected claims 1, 2, 11, 12, and 21-25 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0015840 to Walker (*Walker*).

By this amendment, Applicants have amended claims 1, 11, 21, and 23. Claims 1, 2, 11, 12, and 21-25 are pending and under current examination.

I. The Interview of October 9, 2008

Applicants would like to thank the Examiner for the courtesy of the interview conducted on October 9, 2008, with Applicants' representatives. During the interview, as discussed below, the Examiner agreed that certain portions of *Walker* relied upon in the final Office Action do not anticipate the claims.

II. The Objection to Claim 24

The Office Action alleges that claim 24 includes recitations that are redundant in light of recitations in claim 23 (final Office Action at p. 2). In light of the amendments to claim 23 presented herein, Applicants respectfully request the Examiner to withdraw the objection.

¹ The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

III. The Rejection of Claims 1, 2, 11, 12, and 21-24 under 35 U.S.C. § 102(e)

To properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Further, "[t]he identical invention must be shown in as complete detail as is contained in the...claim." See M.P.E.P. § 2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131. Applicants traverse the rejection of claims 1, 2, 11, 12, and 21-24 under 35 U.S.C. § 102(b) for the following reasons.

Claim 1 recites, for example, a method for validating programs, comprising "validating the meta-language description by validating the syntax of the meta-language definition module and the meta-language implementation module." (emphasis added).

Walker discloses an "XmlReaderWriter Interface" that the Advisory Action relies on as allegedly corresponding to the claimed "meta-language ... definition module" (See Advisory Action at p. 2, citing *Walker*, FIG. 4, block 410-420). This is incorrect. *Walker* clearly discloses that the XmlReaderWriter interface is a Java interface and even provides an exemplary interface definition which is clearly written in Java code (*Walker*, ¶ 38).

Thus, as agreed to by the Examiner and as indicated in the interview summary mailed October 14, 2008, *Walker's* XmlReaderWriter interface is written in Java, and not a "meta-language" (Interview Summary at page 2). As *Walker* fails to disclose a meta-

language definition module used with a meta-language implementation module, *Walker* also fails to disclose or even suggest “validating the meta-language description by validating the syntax of the meta-language definition module and the meta-language implementation module,” as recited by proposed independent claim 1.

Accordingly, *Walker* cannot anticipate independent claim 1. Independent claims 11 and 21, although of different scope, recites elements similar to the elements recited by claim 1, and are thus allowable for at least reasons similar to those set forth above with respect to claim 1. Applicants therefore respectfully request the Examiner to reconsider and withdraw the rejection of claims 1, 11, and 21 under 35 U.S.C. § 102(e) as being anticipated by *Walker*.

Dependent claim 22 is further distinguishable from *Walker*. Claim 22 recites “[t]he method according to claim 1, wherein the language-dependent program comprises a script code section written in a scripting language” (emphasis added). Page 1 of Applicants’ specification states, for example, “a scripting language is a language that does not support interfaces and that is either weakly typed or untyped.” As neither Java nor XML is considered by those skilled in the art to be a “scripting language,” *Walker* does not teach or suggest “[t]he method according to claim 1, wherein the language-dependent program comprises a script code section written in a scripting language” (emphasis added) as recited by claim 22.

Dependent claim 23 is further distinguishable from *Walker*. Dependent claim 23 recites “generating a compiler language representation of the script code section, the compiler language representation of the script code section comprising a second

interface and a second class” (emphasis added). The final Office Action relies on paragraphs 61 and 69 of *Walker* in addressing claim 23 (final Office Action at p. 4). However, these portions of *Walker* disclose only Java code. As discussed, Java is not a scripting language. Therefore, *Walker* does not teach or suggest “generating a compiler language representation of the script code section, the compiler language representation of the script code section comprising a second interface and a second class” (emphasis added), as recited by dependent claim 23.

Dependent claim 25 is further distinguishable from *Walker*. Claim 25 depends from claim 22, and recites “performing a usage check on the script code section by: extracting language elements from the script code section; and comparing the extracted language elements with the meta-language definition module” (emphasis added). As discussed, *Walker* does not disclose a script code section. Further, even assuming *Walker*’s Java code could be considered “script code,” *Walker* does not disclose comparing language elements extracted from the Java with *Walker*’s XML code. Indeed, assuming *Walker* “extracts” any “language elements” at all, such language elements are extracted from the XML code and converted into Java. For these reasons, *Walker* does not teach or suggest “performing a usage check on the script code section by: extracting language elements from the script code section; and comparing the extracted language elements with the meta-language definition module” (emphasis added), as recited by dependent claim 25.

IV. Conclusion


In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 7, 2008

By: 
Philip J. Hoffmann
Reg. No. 46,340